

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/22/16

-----X
TONI PULVER, individually and on behalf of all
others similarly-situated,

Plaintiff,

-against-

CAFUA MANAGEMENT COMPANY L.L.C.
d/b/a DUNKIN'DONUTS, CAFUA & LEAL
MANAGEMENT COMPANY, LLC d/b/a
DUNKIN' DONUTS, AND FIFTH DONUTS, LLC
d/b/a DUNKIN' DONUTS,

Defendants.
-----X

Civ. No.: 15-CV-08022

**STIPULATION DISMISSING DEFENDANT CAFUA & LEAL
MANAGEMENT COMPANY, LLC WITHOUT PREJUDICE AND
EXTENDING DEFENDANTS CAFUA MANAGEMENT COMPANY
L.L.C. AND FIFTH DONUTS, LLC'S TIME TO ANSWER, MOVE OR
OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT**

It hereby is STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their undersigned attorneys, who are authorized to enter into this Stipulation, that any obligation on the part of Defendants CAFUA MANAGEMENT COMPANY L.L.C. and FIFTH DONUTS, LLC ("Answering Defendants") to answer, move, or otherwise respond to the Complaint in this matter is extended to and including March 4, 2016;

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their undersigned attorneys, who are authorized to enter this Stipulation, that Plaintiff's claims against Defendant CAFUA & LEAL MANAGEMENT COMPANY, LLC are dismissed, without prejudice;

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Answering Defendants, through their undersigned attorneys, who are authorized to enter this Stipulation, that no previous requests for extension of this deadline have been made;

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Answering Defendants, through their undersigned attorneys, who are authorized to enter this Stipulation, that Answering Defendants hereby waive any defenses based on personal jurisdiction or alleged defects in service of process, without prejudice to Answering Defendants' position that either Answering Defendant is not a proper party to the instant action.

HEPWORTH, GERSHBAUM & ROTH, PLLC
ATTORNEYS FOR PLAINTIFF
192 Lexington Ave., Ste. 802
New York, New York 10016
(212) 545-1199

JACKSON LEWIS P.C.
ATTORNEYS FOR DEFENDANTS
58 South Service Rd., Ste. 250
Melville, New York 11747
(631) 247-0404

By:


REBECCA S. PREDOVAN, ESQ.

By:


NOEL P. TRIPP, ESQ.


Dated:

2/18/2016

Dated:

2/18/16

SO ORDERED on this 22 day of February, 2016


United States District Judge